

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue
New York, NY 10166-0193
Tel 212.351.4000
www.gibsondunn.com

Orin Snyder
Direct: +1 212.351.2400
Fax: +1 212.351.6335
OSnyder@gibsondunn.com

December 6, 2021

VIA ELECTRONIC FILING

The Honorable Ronnie Abrams
United States District Court for the Southern District of New York
40 Foley Square, Room 2203
500 Pearl Street
New York, New York 10007

The Honorable Ona T. Wang
United States District Court for the Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: In re Application of Sukhbaatar Batbold for an Order Pursuant to 28 U.S.C. § 1782,
21-mc-00218-RA (S.D.N.Y.)

Dear Judge Abrams and Judge Wang:

We respectfully submit this letter as counsel to Petitioner Sukhbaatar Batbold to inform the Court of a recent development in the foreign proceedings against our client relevant to this Petition in aid of foreign discovery pursuant to 28 U.S.C. 1782. Recently, the Mongolian court dismissed the action against Mr. Batbold for lack of jurisdiction. The time for the Mongolian Claimants to appeal has since expired. The dismissal, however, is without prejudice; the case may be refiled in another Mongolian judicial district. Each of the other foreign proceedings against Mr. Batbold in the United Kingdom, Hong Kong, Jersey, and Singapore remains pending.¹

Despite the favorable outcome in Mongolia, the discovery Mr. Batbold seeks in this proceeding remains relevant to: (a) his defense of the currently pending proceedings in the United Kingdom, Hong Kong, Jersey, and Singapore; (b) the Mongolian proceeding should it be refiled; and (c) in future litigation in Mongolia that is reasonably contemplated and arises out of the Mongolian proceedings and the improper smears of Mr. Batbold's reputation.

In sum, although we continue to evaluate the Mongolian decision and will monitor any developments in the coming days, the Mongolian Court's decision is not dispositive of the

¹ While the proceedings in Hong Kong, Jersey, and the United Kingdom are all proceedings seeking to attach property pending any judgment in the Mongolian action, the Singaporean action is a substantive case that asserts freestanding claims against Mr. Batbold.

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matter currently pending before the Court. In the interests of disclosure, we are raising this development with the Court without delay.

Respectfully submitted,

/s/ Orin Snyder

Orin Snyder

cc: All counsel of record